

by said company, and the said jury in estimating the damages aforesaid supposed to be sustained by the owner or owners of the land required for the construction of said road shall take into the estimate the benefit resulting to the said owner or owners for conducting said road through or along the land of such owner or owners, but only in extinguishment of the claim for damages, and the said jury shall reduce their verdict to writing in the shape of an inquisition and sign and seal the same, and it shall then be returned by the said sheriff, to the clerk of the circuit court of Baltimore county, to be by him recorded and either party shall have the right to appeal from the verdict of said jury to the next circuit court of the county, and the said damages shall be paid by said company into the hands of said sheriff, for the person or persons to whom the same is awarded, before said company shall proceed to make use of said road for the purpose of said road, or to remove said materials as the case may be; *Provided, however,* That said company shall have full power to enter upon and survey the land so required, if necessary, as preliminary to such condemnation, and the justice, sheriff and clerk shall be entitled to receive the same fees for services under this act as they are allowed in similar cases, and the persons summoned as jurors shall receive one dollar per day during their attendance, which fees and all money shall be paid by said company, and the said company or its agents shall have power to remove said materials required for the road as aforesaid, across any lands not in meadow or grain, upon paying to the owner or owners thereof, a reasonable compensation to be ascertained as aforesaid by a jury, in case the privilege cannot be obtained by agreement.

Erection of
toll gates.

SEC. 11. *And be it enacted,* That when said road is finished and perfected in the manner prescribed in the ninth section of this act, the said company shall be authorised to erect a toll gate thereon, and to charge and receive tolls at such rates in all respects, and upon such terms, conditions and limitations as are prescribed in reference to the Baltimore and York Turnpike company by their charter or any supplement thereto.

Construction
of act.

SEC. 12. *And be it enacted,* That nothing in this act shall be construed to authorise or empower the location of the said Turnpike road through or over the grounds occupied by the Maryland State Agricultural Society, without their consent or until they shall have abandoned the use of said grounds as a place for the